

ENTERED

November 08, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§
	§ MAGISTRATE JUDGE ACTION NO.
VS.	§ 2:21-MJ-01333
	§
JOSE A BARRAJAS-RAMOS	§

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

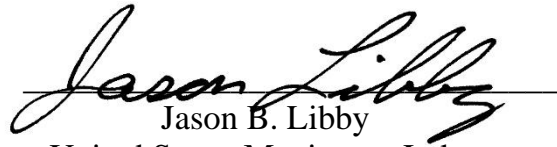
A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). Detention of the defendant pending trial in this case is necessary because there is a serious risk that the defendant will not appear.

The evidence against the defendant meets the probable cause standard. The defendant is not a citizen of the United States; he was brought to the United States as a child unlawfully without first obtaining lawful immigration status. At some point, the defendant was granted limited status to remain in the United States under the Deferred Action for Childhood Arrivals (DACA) immigration policy. However, based on the instant offense, the immigration authorities have issued an immigration detainer for the defendant. The effect is that the defendant no longer has status to remain in the United States. Therefore, the undersigned finds this defendant to be a flight risk. However, if the defendant can adjust his immigration status or establish that he is entitled to an immigration bond, the defendant may move to re-open the detention hearing.

The defendant is committed to the custody of the United States Marshal or his

designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED on November 8, 2021.


Jason B. Libby
United States Magistrate Judge